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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,762	08/20/2003	David W. Taylor	DON01 P-1103	8047

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EXAMINER	
LOUIS JACQUES, JACQUES H	
ART UNIT	**PAPER NUMBER**
3661	

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/645,762	TAYLOR ET AL.	
	Examiner	Art Unit	
	Jacques H. Louis-Jacques	3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 August 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-7, 9, 12-14, 16-17, 20-22, and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al [6,199,014] in view of Kepler [6,477,460].

Walker et al discloses a system for providing driving directions and visual cues. According to Walker et al, the navigation system comprises a vehicle-based telematics system (e.g., 102), figure 3), a vehicle-based global positioning system operable to determine a geographic position of the vehicle (column 1) and a control (e.g., 101), wherein the telematics system (102) being operable to receive a user input from a driver of the vehicle and download directional information from an external service provider to the control in response to the user input and an initial geographic position of the vehicle (columns 3 and 4), the directional information comprising at least two instructions with each of the at least two instructions being coded or associated with or linked to a respective geographic location (column 4), the control being operable to provide an output corresponding to each of the at least two instructions in response to a current actual geographic position of the vehicle determined by the vehicle-based global positioning system (columns 5 and 6). Walker et al discloses that the *telematics system is a wireless system that is operable to wirelessly communicate between the vehicle and a*

remote service provider and is operable to download directional information from the external service provider to the control while the vehicle is being driven along a road. More particular, figure 1 shows a telematics system coupled to a service provider or external source for downloading guidance information. In column 5, lines 15-18, Walker et al discloses that the communication link can be an on-line or web connection, thus a wireless connection. In column 8, Walker discloses the interface unit is remote from the central controller. The interface then conveys the navigational instruction to the system user, for example, through a display screen. Figure 9 (item 904) provided the condition when the current location changes, thus when the route changes, to provide different instructions with appropriate photographs. See also column 6. The system also provides a user interface for providing user input, wherein the system (telematics system) can determine a destination geographic location, i.e. a photographic location, based on the user input. See columns 3 and 4. As described in column 8, the display (i.e., instructions) is updated as the vehicle approaches the locations described. See also column 9, lines 7-

21. In column 1, Walker et al recognizes that it may be easier for some people to remember landmarks than the details of a printed map. People can become lost despite being given both a reasonable map and written directions on how to following it. According to Walker et al, directions that use objects in the environment that we are likely to notice are more easily followed; for example, "You'll drive for a couple of miles and then pass a bright red farmhouse all by itself; take the first left after that." However, Walker et al does not specifically discloses that the control being operable to provide each instruction only when the current actual geographic position of the vehicle at least

generally corresponds to the particular geographic location associated with each instruction. *Walker et al also discloses providing at least one new instruction to direct the driver of the vehicle toward the destination geographic location*. See column 9. Kepler, on the other hand, discloses a process and system for the annotation of machine-generated directions with easily recognized landmarks and other relevant information. According to Kepler, once the coordinates of interest are determined, a database is scanned to identify one or more landmarks or establishments within a definable zone about the coordinates. And, once the landmarks or establishments are decided upon, driving directions are generated that incorporate one or more of the landmarks or establishments within the zone in the instructions regarding navigation of the route. See abstract, figures 1, 3 and 6. According to Kepler, the control being operable to provide each instruction only when the then current actual geographic position of the vehicle at least generally corresponds to the particular geographic location associated with each instruction. See columns 5-6 and 8-9. Kepler, like Walker et al, discloses that the control is operable to tag or code each of the instructions with a respective geographic location (i.e., geocode) and is operable to only provide a particular one of the instructions when the respective geographic location tagged or coded to the particular instruction at least generally corresponds to the then current actual geographic position of the vehicle. See Walker et al at columns 1 and 2 and Kepler at column 2. Kepler also discloses that each of the at least two downloaded instructions is tagged or coded with or linked to a respective particular geographic location, said control being operable to only display a particular instruction when the respective geographic location tagged or coded or linked

to the particular instruction at least generally corresponds to the then current actual geographic position of the vehicle. See columns 3 and 4. According to both Walker et al and Kepler, the user input comprises a vocal input from the driver or occupant of the vehicle to a service center associated with said vehicle-based telematics system. See Walker et al at column 5. The initial geographic position of the vehicle is communicated to the service center via the vehicle-based global positioning system. The at least two instructions are provided by the control as an audible message (Kepler at column 8) or as a visible display (Kepler at figure 1, 3). See also Walker et al at column 8. The visible display comprises at least one of a display on demand display element, a thin film transistor liquid crystal display element, a multi-pixel display element and a multi-icon display element. See Walker et al at column 8. Thus, it would have been obvious to one of ordinary skilled in the art at the time of the invention to be motivated to modify the system of Walker et al by incorporating the features from the system of Kepler because such modification would provide driving instructions or directions that are easier to follow.

3. Claims 8, 10, 11, 15, 18, 19, 23, 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al in view of Kepler as applied to claim1, 12 and 20 above, and further in view of DeLine et al [6,420,975].

Neither Walker et al nor Kepler specifically teaches the interior rearview mirror display and the seat adjustment. DeLine et al, on the other hand, discloses an interior rearview mirror processing system. According to DeLine et al, there is provided a visible display at an interior rearview mirror assembly of the vehicle for use in connection with

in-vehicle telematics systems or vehicle-based telematics systems, such as General Motors' ONSTAR. See column 10, 11, 27, and 36. In addition, DeLine et al discloses a seat adjustment system, wherein the seat adjustment system being operable to adjust a seat of the vehicle in response to data received via at least one of a vehicle-based telematics system and a vehicle-based global positioning system in response to biometric data pertaining to the occupant of the seat of the vehicle (columns 16, 17). See also figure 16, column 6, lines 38-64, column 9, lines 39-46, column 23, column 27, and columns 43-44. Thus, it would have been obvious to one skilled in the art at the time of the invention to be motivated to modify the combination of Walker et al and Kepler by incorporating the features from the interior rearview mirror of DeLine et al because such modification would provide a more efficient system.

Response to Amendments & Arguments

4. The amendments along with the arguments filed on August 15, 2005 have been entered and carefully considered by the examiner.

In particular, Applicant has amended the claims to recite that the telematics system is "operable to wirelessly communicate between the vehicle and a remote service provider" "while the vehicle is being driven along a road" The vehicle-based global positioning system "determining an initial geographic location of the vehicle and said telemetrics system determining a destination geographic location" in response to said user input. The instructions as being provided at respective "waypoint geographic location determined by said telematics system to be on a route between said initial geographic location and said

destination geographic locations. The control being operable "to generate information display visible to a diver of the vehicle, said information display corresp0onding to respective ones of said at least two instructions" and "said information display being viewable by the driver of the vehicle at or near an interior rearview mirror of the vehicle". In addition, Applicant amended the claims to recite that "the control being operable to generate a change in information displayed in response to the current actual geographic location of the vehicle being inconsistent with the route between said initial geographic location and said destination geographic location", wherein "said change in information displayed comprises at least one new instruction to one of (a) initiate a new user input to download new directional information and (b) direct the driver of the vehicle toward said destination geographic location."

The examiner acknowledges and appreciates Applicant's notable effort in attempting to amend the claims to put them in better condition for allowance. However, the claims as amended are still not patentable over the prior art, at least the ones already applied.

Let us address Applicant's comments and arguments.

It appears, first, that Applicant argued that the applied prior art do not teach as "wireless telematics system", that is, a telematics system that is operable to wirelessly communicate between the vehicle and a remote service provider and is operable to download directional information from the external service provider to the control while the vehicle is being driven along a road." The examiner respectfully disagrees.

Walker et al discloses a system for providing driving directions (instructions) with visual cues, such photographic information representing photographs of actual geographic

locations (abstract). According to Walker et al, the geographic information and photographic information are processed to determine a route for travel to a destination. See also the abstract. More particular, figure 1 shows a telematics system coupled to a service provider or external source for downloading guidance information. In column 5, lines 15-18, Walker et al discloses that the communication link can be an on-line or web connection, thus a wireless connection. In column 8, Walker discloses the interface unit is remote from the central controller. The interface then conveys the navigational instruction to the system user, for example, through a display screen. Figure 9 (item 904) provided the condition when the current location changes, thus when the route changes, to provide different instructions with appropriate photographs. See also columns and column 6. The system also provides a user interface for providing user input, wherein the system (telematics system) can determine à destination geographic location, i.e. a photographic location, based on the user input. See columns 3 and 4. As described in column 8, the display (i.e., instructions) is updated as the vehicle approaches the locations described. See also column 9, lines 7-21.

Amended claims 7, 14, and 22 recite "at least one" of "initiating a new user input..." and "directing the driver..." Walker et al discloses providing at least one new instruction to direct the driver of the vehicle toward the destination geographic location.

Applicant also argued that the prior art do not teach rearview mirror system and a seat adjustment. Again, the examiner respectively disagrees.

DeLine et al discloses an interior rearview mirror attached to a telematics system, such the OnStar for providing guidance instructions and directions a driver of vehicle. See

figure 16, and column 6, lines 38-64. In addition to providing a rearview mirror system for providing instructions to the driver, DeLine et al also discloses a seat adjustment or control. See column 9, lines 39-46, column 23, column 27, and columns 43-44.

In light of the foregoing, the claims remain rejected and this office action is made final.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacques H. Louis-Jacques whose telephone number is 571-272-6962. The examiner can normally be reached on M-Th 5:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on 571-272-6956. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jacques H Louis-Jacques
Primary Examiner
Art Unit 3661

/jlj